ACRA
American Cultural Resources Association

Volume 14-6

EDITION

The Voice of the Cultural Resource Industry

November 2008

(Officers are listed on Page 2)

In This Issue...

President's Corner *by Mike Polk* — *pg 3*

Update from ACRA Headquarters *by Crista LaGrand* — *pg 5*

New Member Profile *Tierra R-O-W* — *pg 6*

New Employee Announcements — *pg 7*

Hunter Research Excavations at Petty's Run, Trenton *by Ian Burrow* — *pg 9*

Using Near-Surface Geophysics in Site Evaluation *by R. Berle Clay* — *pg 10*

LaRamie Soils Service, Inc., Goes Green *by Michael McFaul* — *pg 14*

Moving Forward From Tucson *by Jon Berkin* — *pg 15*

New Guidelines For Canada — *pg 16*

Proposed OSHA Rules Change to Increase Penalties for Non-Compliance. *by Bill Self* — *pg 17*

Meet an ACRA Board Member *Keith Seramur* — *pg 18*

Legislative Update *by Nellie Longsworth* — *pg 19*

ACRA's Mission

Our mission is to promote the professional, ethical, and business practices of the cultural resources industry, including all of its affiliated disciplines, for the benefit of the resources, the public, and the members of the association by:

- promoting and supporting the business needs of cultural resources practitioners;
- promoting professionalism in the cultural resources industry;
- promoting and providing educational and training opportunities for the cultural resources industry; and
- promoting public awareness of cultural resources and its diverse fields.

A basic tenet of ACRA's philosophy is the cost efficiency of private-sector firms in meeting the need for expertise in cultural resource management. ACRA is strongly opposed to unfair competition from tax-supported contracting programs. We believe that a greater benefit to society, and to the resources, derives from the existence of a healthy community of tax-paying, job-generating, private-sector CRM businesses.

ACRA OFFICERS

President
Michael R. Polk, *Sagebrush Consultants L.L.C.*

President Elect
Lucy Wayne, *SouthArc, Inc.*

Vice President (Government Relations)
Jeanne Ward, *Applied Archaeology & History Associates*

Executive Director
Crista LeGrand, *Clemons and Associates, Inc.*

Treasurer
Colin Busby, *Basin Research Associates, Inc.*

Secretary
Chad Moffett, *Mead & Hunt, Inc.*

2008 Committee Chairs

Executive - Mike Polk, *Sagebrush Consultants L.L.C.*

Government Relations - Jeanne Ward, *Applied Archaeology & History Associates*

Awards - Charissa Wang Durst, *Hardlines Design Company, Inc.*

Communications Steering Committee - Loretta Lautzenheiser, *Coastal Carolina Research Inc.*

Competitive Practices - Nurit Finn, *Wapsi Valley Archaeology*

Conference - Joan Deming, *Archaeological Consultants Inc.*

Education - James Karbula, *William Self Associates, Inc.*

Headquarters Oversight Committee - Joe Joseph, *New South Associates, Inc.*

Membership - Steve Dasovich, *SCI Engineering, Inc.*

NAICS - Christopher Dore, *Metcalf Archaeological Consultants, Inc.*

Newsletter - Lucy Wayne, *SouthArc, Inc.*

Policy - Loretta Lautzenheiser, *Coastal Carolina Research Inc.*

Salary Survey - Brian Thomas, *TRC*

Strategic Planning - Teresita Majewski, Statistical Research, Inc.

Worker Safety - Bill Self, *William Self Associates, Inc.*

Liaison Committee - Elizabeth Jacox, *TAG Historical Research & Consulting*

Finance Committee - Colin Busby, *Basin Research Associates, Inc.*

PRESIDENT'S CORNER

By Michael R. Polk

I hope that most of you were able to make it to the Annual Meeting in Tucson in September. The four companies who sponsored it did an outstanding job. SRI, William Self Associates, Desert Research and SWCA are to be congratulated on the superb way that they carried off the conference. The Marriott Hotel venue was great and the layout and rooms were convenient and spacious. I hope all who attended felt that they got their money's worth. We all need to look forward to the grand meeting which is planned for Providence, Rhode Island next September, hosted by Gray and Pape, Inc. I look forward to seeing you there.

Upcoming Visit to the Hill

With the major shift in administrations in Washington, we have a great opportunity to help let your Congressmen and women know how important historic preservation is to our country. There will be many new faces there, and the dynamic will significantly change with both a Democratic President and Congress in place. The Board of Directors is holding their mid-year meeting in Baltimore in late March, 2009. As part of that meeting, the board plans to spend one day on the Hill visiting as many representatives and senators as possible. Our last major effort at this in 2005 (in conjunction with our annual meeting) turned a lot of heads and had the preservation community buzzing for weeks. We would love to do that again and make the Congress realize that there is an important contingent of private sector preservationists who support increased funding levels for many programs aimed at protecting and enhancing our nation's heritage resources. We are planning to be on the Hill on March 26, 2009. All ACRA members are welcome to join the Board on this historic trek to Congress. More information will be forthcoming on this event.

Committees Hard at Work

Coming out of the Tucson Board Meeting, a number of ACRA committees have hit the ground running to carry out tasks either unfinished from earlier in the year, or newly assigned.

Website design and implementation continues to be the top priority of the Communications Steering Committee, chaired by Loretta Lautzenheiser, and the Website Subcommittee, chaired by Hope Luhman. Working with John Conway of HQ, these committees are committed to making the website as functional and useful for you, the membership, as is fiscally possible. If you haven't logged on and updated your own information on the website (each company has a listing), please do. This is the part of the design that requires your input. Also, please continue to notify John should your information not be correct as you provided it, or if other issues develop in your use of the site. John, our Webmaster, can be reached at JohnC@clemonsmgmt.com.

A historic milestone was reached at the Tucson meeting when Sarah Herr of Desert Research announced at the Board Meeting that she had almost completed a survey of private sector CRM companies across the United States. Largely done by her on her own time, Sarah accomplished what no one else, to my knowledge, has done. She found lists and other methods for identification of the existence of companies in almost all 50 states, vetted them, and announced that there are, as of Nov. 2008, approximately 1585 companies of all types and sizes engaged in the "for profit" business of CRM. Interestingly, for a long time, Tom Wheaton regularly made presumptions that ACRA membership includes about 10 percent of the CRM firms in America. Not a bad guess, since current membership stands at 132 firms. Using our current number of firms, ACRA represents about 8.3 percent of the CRM private sector universe. Sarah has said that she plans to work this information into an article for submittal to the *ACRA Edition*. I look forward to that.

Two other committees of note:

The Membership Committee, chaired by Steve Dasovich, is planning an unprecedented canvassing of all of those 1400 or so companies who are not yet members. This fall, postcards will be mailed to those companies letting them know that ACRA is interested in hearing from them and their interest in our organization. Based upon the response from that initial blast of postcards, follow-up materials will be sent and other contacts made. This will represent the largest membership drive ever undertaken by ACRA.

The Education Committee, chaired by James Karbula, is intensively studying what new workshops will be offered at the upcoming Providence meeting in September 2009. Several specific topics are being investigated and a decision will be forthcoming in the next several months.

International Outreach

My final words are written as I begin a trip to Portugal to speak to the first conference of private sector archaeologists in Lisbon and surrounding areas. I was asked to speak to them about how heritage management work is carried out in the United States. Peter Hinton will speak about the same topic from the perspective of the UK and another archaeologist from France will give yet another perspective. It is good to see private sector entrepreneurial activities arising in many parts of the world. As I stated in the last newsletter, this kind of sharing of information may have positive and potentially profitable consequences for companies in ACRA in years to come. Please check out the results of the session on archaeology laws and regulations worldwide that I co-chaired with Peter Hinton at last summer's World Archaeological Congress in Dublin. It is posted on the ACRA website. I will similarly share the results of this trip in the next newsletter.

[Newsletter Coordinator's Comment: ACRA members should be particularly appreciative of the work of Sarah Herr and Mike Polk's trips to these international gatherings. Like most ACRA activities completed by the Board and officers, these are done at the individual's (or their company's) expensive and on their own time.]

UPDATE FROM ACRA HEADQUARTERS

By Crista LeGrand

Save the Date!

ACRA's Lobby Day at Capitol Hill
Thursday, March 26, 2009, Washington, DC

- Unite with industry peers and promote the cultural resources industry.
- Join your politically savvy colleagues for an insider's view of the workings of Washington, DC.
- Listen to dynamic speakers.
- Meet key lawmakers who shape the policies that most impact the cultural resources industry, from top administration officials and influential Senators and Representatives to key Capitol Hill staffers.

Membership Dues

By the time you are reading this newsletter, you should have received your membership dues invoice. Please notify us immediately if you have not received your invoice. Please contact Stacey Johnson at 410-933-3453.

Associate Director Profile

If you didn't know already, ACRA has a new Associate Director. CJ Summers comes to us after 10 years as an active duty Army Officer. She has a solid operations background. CJ understands discipline and leadership, and has been instrumental in the continued success of the organizations she leads. She also knows voluntary organizations from being a member of the Maryland Society of Association Executives and the American Society of Association Executives. Prior to her military service, CJ worked as a meetings and member services manager. CJ is married to MAJ Michael Summers and they have two sons, Logan (9) and Cooper (1).

ACRA Consultant Database

Branches are listed! ACRA Headquarters received branch listings and updated the site accordingly. The Consultant Database will continue to improve. CJ will be working closely with Hope Luhman, Website Subcommittee Chair, and her committee: Joan Deming, Sarah Herr and Denise DeJoseph.

Do you need to update your online profile? Please contact John Conway at ACRA Headquarters with any revisions to your company profile in the Consultants Database, and he will update your listing.

Please let ACRA know how the website can best serve you. Send any comments or suggestions to CJ Summers at ACRA Headquarters.

Link Us!

Help ACRA website search engine optimization . . . add a link from your website to our website, www.acra-crm.org. WIFM (what's in it for me) you ask? Your company website will improve in volume and quality of traffic to your site too. Call John Conway at 410-933-3464 and he will send you a new high resolution ACRA logo to use on your website and you can hyperlink it from your site.

ACRA E-News

Don't forget to send us emails for anyone in your company that would like to receive the new communication tool, "ACRA E-News". It keeps you up to date on meeting information, ACRA news and member updates.

ACRA Headquarters

We are your ACRA Headquarters. If we can be of assistance to you throughout the year, please contact us. Here's your ACRA staff listing:

-- **Crista LeGrand**, Executive Director
410-933-3454
cristal@clemonsmgmt.com

-- **CJ Summers**, Associate Director
410-933-3459
cjsummers@clemonsmgmt.com

-- **Stacey Johnson,** Meetings & Member Services (questions on dues, member contact information updates, etc.)
410-933-3453
staceyj@clemonsmgmt.com

-- **John Conway**, Association Coordinator (meeting registration, website updates)
410-933-3464
johnc@clemonsmgmt.com

NEW MEMBER FIRM

Tierra Right of Way Services, Ltd

Tierra is a turnkey land services company that offers right-of-way acquisition, planning, environmental services and cultural resources services. The company was founded in 1989 in Tucson, AZ, and the Cultural Resources Division was added in 1993. Since that time the Cultural Resources Division has grown to include 16 full-time and 2 permanent part-time employees in offices in Tucson, AZ and Santa Fe, NM. The division includes three Principal Investigators, four Field Directors, a Laboratory Director and an osteology team. We have a fully equipped laboratory and conduct most specialized analyses in-house. Services include survey, testing, data recovery, Section 106 consultation, tribal consultation and archival research. Our dedicated osteological team performs excavation and analysis of human remains for private and public clients as well as other CRM firms.

The Cultural Resources Division has a wide array of clients that include private land developers, state and local governments, and utility companies. The majority of our work is concentrated in Arizona and New Mexico but we have the ability to work throughout the western United States. Tierra's corporate headquarters is located in Tucson, and we have offices in Phoenix, Port Angeles, WA, Las Vegas, NV and Santa Fe, NM. For more information please contact Fred Huntington, fhuntington@tierra-row.com or (520) 319-2106.

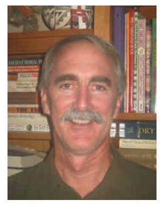
NEW EMPLOYEE ANNOUNCEMENTS

Doug Mitchell Joins PaleoWest Solutions

The archaeological consulting firm, PaleoWest Solutions in Archaeology, announced that it has added Arizona archaeologist and consultant Doug Mitchell as a Principal to its staff. Mitchell had served as the Director of Arizona Cultural Resources at Phoenix-based SWCA Environmental Consultants, where he spent his past 16 years building their Phoenix and Arizona-wide archaeology programs.

A Registered Professional Archaeologist and noted expert on the prehistoric cultures of Arizona, Mitchell has authored numerous articles for national and regional journals and has contributed chapters or served as editor for several books on the archaeology of the American Southwest. From 1985 to 1992, he directed archaeological projects for Soil Systems, Inc., including important ones at Pueblo Grande and other large Hohokam villages along what is now Phoenix's Loop 202 Freeway.

While with SWCA, he served in a variety of management roles in the Phoenix office's cultural resources program since founding it in 1992. Mr. Mitchell has been involved in the preparation and review of environmental impact studies, and is well versed in the National Environmental Policy Act, National Historic Preservation Act (NHPA), and many aspects of the environmental compliance process. He is thoroughly versed with Section 106 regulatory compliance procedures and permitting requirements, having studied under regulatory specialist Tom King.



He has worked closely on cultural resources issues with various Arizona agencies and personnel in the State Historic Preservation Office, Bureau of Land Management, Bureau of Reclamation, Bureau of Indian Affairs, Forest Service, Army Corps of Engineers, National Park Service, Arizona Dept. of Transportation, Arizona Game and Fish Dept., City and County Governments and Tribal governments.

Mr. Mitchell's project experience includes large data recovery projects in southern and central Arizona, including the Carlota Copper Mine project, the historic Prescott project and work at a prehistoric Hohokam village. Mitchell's research interests include the prehistoric cultures of southern and central Arizona, chronology, settlement systems and the study of prehistoric burial practices in the Southwest. His most recent research pursuits have included Hohokam mortuary studies and prehistoric exchange patterns. This latter interest has developed from a decade of reconnaissance work in northern Mexico on prehistoric shell middens along the shores of the Sea of Cortez. He co-organized both the 1996 and 2006 Prescott Archaeology conferences and co-edited the resulting proceedings. After serving as President in 2007 of the Arizona Archaeological Council, he is currently the newsletter editor.

PaleoWest carries out archaeological compliance projects across the Western U.S. and has offices in Phoenix and Prescott, Arizona and Casper, Wyoming. Doug Mitchell can be reached in PaleoWest's Phoenix office at (602) 261-7253 or at dmitchell@paleowest.com.

Doug Mende Joins SRI as Director of GIS Business Development

Statistical Research, Inc.
ARCHAEOLOGY • ANTHROPOLOGY • HISTORY • HISTORIC ARCHITECTURE

Statistical Research, Inc. (SRI) would like to announce the appointment of Mr. Doug Mende as our Director of GIS Business Development, effective October 27, 2008. Doug's unique qualifications to provide our clients with GIS services are shown in his breadth of experience. Mr. Mende has worked in the GIS industry for over 23 years. His career began at ESRI, and since that time he has led GIS development and provided strategic directions for many large organizations, including the U.S. Army Corps of Engineers, Fort Irwin National Training Center, California State University and the City of Sacramento. He has held the following key positions: Vice President for ISMS, Inc., Owner of Mende GIS Consulting, and Applications Manager and Senior Consultant for Psomas. Doug is an accomplished leader in the GIS industry, with a track record of working with government and private businesses. He brings a great mix of direction, energy, operational experience, development skill, technical agility and passion for customer care.

With Doug on board, SRI will begin to provide GIS services in new arenas (i.e., mapping critical infrastructure for local, state and federal government agencies, and other environmental resources such as habitat for threatened or endangered species) for projects evaluated under the National Environmental Policy Act or California Environmental Quality Act. Doug will also develop a customer-service GIS business model that will increase the values SRI provides our clients. We welcome Mr. Doug Mende to our team.

Marissa Rocke Joins Mesa Technical

Hello, ACRA. My name is Marissa Rocke and I am Dave De Vries' new assistant at Mesa Technical in Berkeley. I am finishing up my MFA in Photography at the Academy of Art in San Francisco, where part of my academic work involves documentary photography with a large format view camera. I have been drawn to photography since age 8, when I was given my first 35mm camera and let loose in Yellowstone National Park. Having great interest in photography, travel and history, working with Dave at Mesa Technical is a perfect fit.

Since joining Mesa Technical a few weeks ago, we have already completed HABS and HALS projects in Boulder City, NV on buildings associated with Hoover Dam. Mesa Technical also has several historic hydroelectric system projects in house for HAER, and I will be printing and assembling those to the Secretary of Interior's archival standards for submission to the Library of Congress.

HUNTER RESEARCH EXCAVATION AT PETTY'S RUN, TRENTON

This striking hair pin is probably 19th century, an item for which we are seeking parallels.

Since mid-July, Hunter Research has been undertaking very large scale excavations on a multi-period, deeply stratified urban site in downtown Trenton, NJ, forming part of the design process for a new State Park. The main objectives of the work are two 18th century water-powered industrial sites: a 1731 plating mill forge and a 1745 steel furnace (one of only four in the colonies in the mid 1700s).

We invite you to visit our project website www.pettysrun.org for more information and images.

"72 Edison" - the northeast corner of the 1731 plating mill.

A graphic view of the depth of the deposits.

"51 Petty's Run - view of the culvert (brickwork c. 1876, walls that may be earlier than 19th century).

The wheelpit of the late-1820s paper mill.

The seating of the western bearing of the late 1820s papermill water wheel.

HUNTER RESEARCH
HISTORICAL RESOURCE CONSULTANTS

USING NEAR-SURFACE GEOPHYSICS IN SITE EVALUATION

By R. Berle Clay, Cultural Resource Analysts, Inc.

A suite of complementary near-surface geophysical survey techniques (magnetometry, ground penetrating radar, resistivity and conductivity) has developed in archaeology as useful, cost effective tools used in the National Register evaluation of archaeological properties. This said, the technologies are individually expensive (generally over $20,000 for a given technique, hardware and software included) such that they probably would not be cost effective purchases for all firms; not so much because of their physical cost which is being reduced with electronic miniaturization, but because they involve trained personnel to make the best use of the data which they collect in the context of site evaluation. Furthermore, individual techniques have their limitations; not all are equally applicable to all situations or regions. Thus these clearly are not technological devices like a total station or GPS data collector that can be taken out of the box and used consistently by field technicians to produce immediately reliable field data. Because of their individual limitations and the complexity of the geophysical images that they produce, they can often confuse rather than clarify questions of site evaluation. This has made their across-the-board acceptance difficult.

The problem lies in how to deal with the wide variety of geophysical images that these techniques record. While in the popular literature, and unfortunately far too much professional reporting, these are considered "anomalies," something out of the ordinary, they are not that, but valid geophysical images "out there," which at some level require explanation. Clearly any attempt to "explain" what they mean requires ground truthing--that is additional field work. However, the cost effectiveness of these techniques in the evaluation of NR Eligibility is inversely related to the field effort involved in the ground truthing of the geophysical results they produce. Because the results are complex, ground truthing can get out of hand. While this would seem to be a contradictory position which would seem to negate the use of near-surface geophysics altogether, in fact it is not. Rather, it is not necessary to fully explain the results of geophysical survey to use them in the evaluation of archaeological properties.

The cost effective use of geophysical survey involves scheduling it in multi-stage strategies, without letting the often confusing and highly detailed results dominate the overall evaluation strategy, and folding its reporting into the larger evaluation report. An archaeological geophysical survey does not need a stand alone report; rather its results must be fully integrated within the larger research design. At Cultural Resource Analysts, Inc. (CRAI) we have found in our CRM work that geophysical survey (for us, primarily magnetic gradient survey using duplexed fluxgate gradiometers, a form of magnetometer) is most usefully inserted in multi-stage evaluation designs at the beginning of Phase 2 evaluation which follows on the initial location of the resource (Phase 1), and is designed to provide data on the character of the archaeological resource which is then followed by limited hand or machine excavation. This comprehensive data may then be used in final Determination of Eligibility and the design of data recovery (Phase 3) if needed.

In this approach geophysical survey does not replace traditional data collecting methodologies entirely, although it offers an important cost effect alternative to at least one traditional methodology which is highly labor intensive, hence expensive. Based on 1970s thinking, plowing, disking or other forms of surface scarification, followed by controlled surface collection of artifacts, has been considered the most sensitive way to get a broad scale feeling for site structure. Because surface collection entails collection, tabulation and analysis, it is costly. Rarely, furthermore, does controlled surface collection provide sufficient information on site structure. Finally, in many instances it is not feasible to plow and disk; for example, when site evaluation preceeds actual construction by any appreciable period of time. In these cases geophysical survey provides a cost-effective alternative, not by itself, rather when combined with other techniques including, importantly, small unit excavation and possibly machine scrapes.

At CRAI we have long been involved with archaeological geophysics using two technologies, magnetometry and electromagnetic conductivity. The use of geophysical survey outlined above is our adaptation to the fiscal parameters of CRM work, one that we have found to be cost effective for our clients and more effective in evaluation than other types of fieldwork. In non-CRM applications different strategies are used. For example, CRAI personnel have been involved in the large-scale research surveys of large and complex sites. In these examples geophysical survey is generally a stand-alone component of a data collecting strategy that may often involve the use of multiple geophysical techniques to enhance data collection. Because of the combination of machine costs, field time and data processing time, multiple techniques are generally not feasible in cost conscious CRM surveys.

But a major problem in the use of near-surface geophysical techniques in site evaluation has been agency acceptance. In contrast, non-agency clients are generally highly receptive to the use of cost-effective techniques because they pay the bill. In far too many cases, our agency clients will refuse to budget them and substitute them for other stages of fieldwork, and reviewing agencies, like State Historic Preservation Officers, will refuse to approve them in scopes developed from evaluation-related MOAs. In our

..continued on Page 12

multi-state work at CRAI, we have found that "acceptance" varies widely between states. At one extreme (and in the following I will be expressing official "attitudes" rather than specific agency quotes) one faces the charge that "why do geophysics when you are going to dig it up anyway?" In other states the attitude is something like, "why do geophysics at all, you will just argue that every archaeological site is Eligible." Finally in other states one actually faces an attitude something like, "if I let you use geophysical technology, then you will have an unfair advantage over other CRM firms," a backhanded compliment to the effectiveness of this application in evaluation, which is actually a dismal comment on a lack of professionalism at the agency level where it is governed by old boy ties. However, the situation is not entirely dismal: interestingly in some states near-surface techniques have gained wide acceptance.

All these attitudes and permutations of them stem generally from a lack of understanding of just what various types of geophysical survey can accomplish in site evaluation. In the face of a drum beat for their stunning successes [generated largely by practitioners from research where cost effectiveness may not be a major concern, and not from CRM projects where it is (or should be) of paramount concern], all express a similar impression that geophysical survey can provide a unique photo image of below ground archaeology. In fact, this is far from the case. All techniques can suffer from three common errors. First, it may be impossible to identify a geophysical image with a known archaeological analogue or misidentify it. Secondly, a specific technique, even a combination of techniques, may not be able to identify all archaeological features of interest, even a majority of them, and may fail to identify any at all where they in fact exist. Finally, near-surface techniques generally cannot distinguish temporal differences between images, and there is a real possibility, for example, that a recent historical image may be confused with a prehistoric.

Because of these limitations the real question is not whether to allow them, simply replacing more traditional forms of evaluation because they are so much more efficient, but rather to encourage these additional forms of data collecting to be used where applicable. Let me pose a hypothetical example of what I mean.

At the Phase 1 level an archaeological site has been defined covering two acres of an agricultural field that, because of a combination of artifacts recovered (fire cracked rock, two types of pottery and chert chippage), might possibly be determined Eligible. With the project due to go to construction five years down the road, it cannot be stripped of topsoil (ruining its agricultural use), yet the agency needs specific data on site size and structure for budgeting. A Phase 2 evaluation might be followed involving a magnetometer sweep, prioritizing of magnetic features, sampling of them first with metal detectors to eliminate historic "disturbances," then with 1 x 1-meter excavation units to determine their nature and perhaps recover datable material. This should be followed with the excavation of additional units in magnetically "clean" areas, or limited machine scrapes, among and away from identified magnetic images. A field strategy such as this (which corresponds to many of the specific examples we encounter in our evaluation work) side steps objectionable invasive site evaluation. In addition, it avoids the increased cost of disking and controlled surface collection which may or may not reflect site structure. This use of near surface geophysics, finally, is not limited by the built-in limitations of individual geophysical survey technologies, because it also includes traditional techniques aimed at determining site structure, not simply geophysical features (which may or may not be relevant to site evaluation). Yet in its ability to provide a sweep of a wide area (the two-acre site limits) it can actually provide a more adequate evaluation of site structure. It can provide, I would maintain, a more adequate evaluation of the site specifically because it has included geophysics.

At CRAI we provide geophysical data collecting both to our clients in their evaluation projects and to archaeologists who do not have the available geophysical technology. We follow in a tradition of fieldwork in Great Britain where much of the technology has been developed, and where geophysical survey, generally magnetometry but often resistivity, has become the standard operating procedure, used to good effect both to increase the precision of site evaluation and reduce its cost. We urge ACRA members to explore the use of near-surface geophysical techniques in their evaluation projects and, at their state and regional levels, seek out experienced regional practitioners as sources of information, and with them push for the acceptance of geophysical survey techniques as valued additions to existing "standard operating procedures."

Cultural Resource Analysts Inc.
www.crai-ky.com

R. Berle Clay, Principal Investigator
Cultural Resource Analysts, Inc.
Lexington, Ky.

Contact: rbclay@crai-ky.com
Website: http://www.crai-ky.com

LaRamie Soils Service, Inc., GOES GREEN

LaRamie Soils Service, Inc. (LRSS), a geoarchaeological consulting firm and long-time ACRA member, upon entering its 30th year of operation made the decision to reduce its energy consumption by 50+ percent. Numerous power generation strategies were considered: solar, hydro and wind electrical generation, in addition to instituting strict conservation measures.

Basic to energy conservation was a drastic reduction in vehicle operation. Propelled by outlandish diesel prices approaching $4.50/gal., a means of ending a 60+ mile daily commute was needed. Construction of a new office on family land ended the commute. Energy savings are still being tabulated, but reducing the 1 to 1.5 hour commute to a short daily walk resulted in energy saving, a significant productivity increase (1.5 hr +/day), and at least a $1200/month business expense reduction.

Approximately 150 miles NNW of Denver, Colorado, LRSS's office is located in the Centennial Valley on the margin of the Wyoming Wind Corridor. Wind speeds average more than 7 mph. Although the Centennial Valley averages 270+ sun days per year, the relatively high average wind speed and generator availability influenced the choice of a wind turbine. A free-standing, grid-integrated (no batteries), 220 volt, 12-foot blade diameter, Skystream turbine was selected. The turbine sits atop a 45-foot tall monopole anchored by 5+ yards of below ground concrete. Preliminary figures show wind generation equaling ~33% normal home electrical consumption in October, and, through ten days of November, ~33% average consumption.

Turbine and construction costs were below $11,800. Thanks to a Democratic-induced rider on the Wall Street bailout bill we are anticipating a 2008 energy tax credit of $1900 to $4000. Preliminary estimates suggest the generator will pay for itself in about seven years. It's guaranteed for five.

Going green has interesting con-sequences. County, state and power company officials were all very helpful. Local reaction to the construction and operation of the generator remains overwhelmingly favorable. Many in the valley ask repeatedly about our energy production and are interested in owing their own generator.

Do we feel better for going green? Of course! It's a win-win-win situation. LaRamie Soils Service reaches its goal of significantly reducing its energy overhead (~85%), receives neighbor accolades, and does something to end our country's dependence on foreign energy.

For additional information, contact Michael McFaul at: laramiesoilsservice@msn.com or 307-742-4185.

Home/office wind turbine

Blade diameter approximates length of gentlemens' arms.

Flipping the switch.

MOVING FORWARD FROM TUCSON

By Jon Berkin

A Contributed Editorial:

I found the panel discussion at the ACRA conference in Tucson on the Past, Present, and Future of Section 106 to be invigorating. It is clear from this discussion that there are major problems with the Section 106 process, which have broad implications for the CRM industry and our clients. In particular, I agreed with the panelists that the participants involved in the Section 106 process have become increasingly inflexible with how they apply the governing regulations.

The problems with the Section 106 process are multi-faceted, of course, and do not rest solely with agencies. However, my experience has been that agency-imposed requirements are becoming increasingly onerous and expensive, and it seems that there is little opportunity for creativity or dialogue. It also is my impression that many agency staff, especially those who have never worked in the private sector, do not know what it costs to implement the mitigation measures that they often require. In general, I rarely feel that the sums expended for mitigation on many of my clients' projects represent money well spent.

I recently worked on a project, for example, where the cost of data recovery for archaeological sites exceeded 25 million dollars. I argued unsuccessfully in numerous agency meetings for allocating some of this money to educational programs or for the development of museums or libraries. I was repeatedly told by agency staff, however, that data recovery was the only appropriate treatment for archaeological sites because they are non-renewable resources.

My point here, of course, is not to suggest that data recovery is always inappropriate - in many cases, it is the best option for mitigating adverse effects to archaeological sites. There are cases though, where other treatment options or a combination of treatments may be better suited to a given project, and perhaps more importantly, of much greater benefit to the public. In those rare cases where alternative treatment options are adopted, it is generally in addition to, rather than in place of the standard treatment options. In fact, in many cases I am hesitant to suggest alternative mitigations, since I have more than once had agency representatives decide that they liked one of my ideas so much that we should add it as a supplemental treatment.

The question of the public benefit or any attempt to achieve a balance between development and preservation almost never is considered during the consultation process in the majority of projects that I have worked on. Instead, the process tends to focus exclusively on implementing the various survey, testing and mitigation guidelines required by the state and federal agencies involved in the Section 106 compliance processes. In effect, Section 106 compliance routinely means completing the

..continued on Page 18

prescribed steps in an inflexible paradigm.

So, what can ACRA do about this? I believe that ACRA is uniquely positioned to deal with this problem. I would like to propose that ACRA consider scheduling regular, regional meetings with staff from the agencies typically involved in the Section 106 process to talk about the health of the process. It generally is not possible to have a creative dialogue about the Section 106 process in the context of project work. Such discussions are much more productive in a neutral setting.

I believe that establishing an on-going dialogue between industry and agency staff is critical. The meetings could focus on key issues in the Section 106 process, and provide an opportunity to overcome the partisanship that often occurs between agencies and industry. These meetings also could provide an opportunity for us to better understand pressures that agency staff are subject to. Attending such meetings would represent a positive experience for all of us; it would allow us to strengthen relationships with agency staff. The Section 106 process will not improve if the key participants do not have opportunities to occasionally sit down and discuss their work and exchange ideas.

Jon Berkin
Cultural Resource Specialist
Natural Resource Group, LLC.
1000 IDS Center
80 South 8th St.
Minneapolis, MN 55402
jmberkin@nrg-llc.com

New Guidelines for Canada

Canada's Historic Places Initiative has recently issued new Draft Standards and Guidelines for Archaeological Sites as part of the revision process for their Standards and Guidelines for the Conservation of Historic Places in Canada document, first issued in 2003. The draft document can be downloaded at http://www.historicalplaces.ca/protect-proteger/arc_e.aspx

This information was picked up at the perennially delightful Council for Northeast Archaeology conference, which always has a strong Canadian contingent, and passed on by Ian Burrow of ACRA member Hunter Research.

PROPOSED OSHA RULES CHANGE TO INCREASE PENALTIES FOR NON-COMPLIANCE

By Bill Self

New rules are being proposed by OSHA that will significantly increase the number and size of employer penalties for citations under the agency's personal protective equipment (PPE) and training standards in general industry, construction and other work subject to their authority. In rules published August 19 in the Federal Register (Google" OSHA 2008-0031"), OSHA seeks to establish that it has the authority to penalize an employer on an instance-by-instance and per-employee basis for infractions relating to lack of training or use of PPEs. Whereas the agency used to penalize an employer only once for a violation that may have involved numerous employees on more than one occasion, this action, if approved, will impose much greater penalties than previously seen. Should an employer, for example, have 20 workers onsite that have received inadequate training in trench safety, or 20 employees that are not wearing eye or hearing protection when it is required, the resulting penalty could be 20 times what had been previously sanctioned! The least serious penalty carries fines of up to $7000, the next most serious carry mandatory fines of up to $7000 and 'willful' violations carry mandatory fines of $5-70,000.

Numerous industry representatives have petitioned OSHA and made comment on this proposed rule change stating it will have devastating consequences if enacted. OSHA has received comments due in early November and will publish their response to the amendment shortly. Should this rule change be enacted, it will be essential for all ACRA firms to understand what is required under OSHA in terms of training, record keeping and PPEs. Failure to understand and follow the rules could have serious ramifications. A follow-up article will appear in a future ACRA Newsletter, so stay tuned.

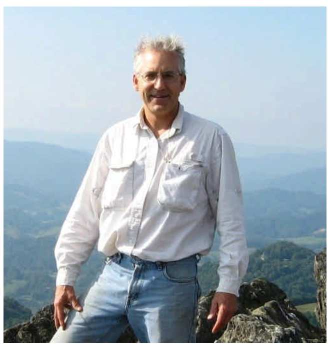
WSA

Bill Self
William Self Associates, Inc.

MEET AN ACRA BOARD MEMBER

KEITH SERAMUR, CONSULTANT, BOONE, NC

I grew up on a small lake in the Southern Kettle Moraine Forest of SE Wisconsin, spending my youth outside playing in the woods, and as I got older, fishing and hunting. I became interested in geomorphology as an undergraduate student at University of Wisconsin hanging out with Dave Mickelson's glacial geomorphology grad students, the "Till Commandos." I pursued my interest in glacial geomorphology doing my graduate work at Northern Illinois University with Ross Powell. Dave and Ross are both students of the Byrd Polar Research Institute at Ohio State. Muir Inlet, Glacier Bay in southeastern Alaska, was my field area, where I had the opportunity to follow in the footsteps of John Muir (also from WI). John Muir mapped the glacial retreat of Muir Glacier 100 years earlier, and I was able to use high-resolution seismic reflection profiles (USGS data) to correlate glacial terminus positions mapped by John Muir to submarine glacial landforms (push moraines, fans etc.). Through my graduate work I developed a respect and appreciation for the scientists who established the field of geomorphology and made the initial paleoenvironmental interpretations of various geomorphic settings here in the US.



In 1988, Ellen Cowan (fellow NIU (AK) grad student) and I moved to Boone, NC. Ellen became the geomorphologist in the Geology Dept. at Appalachian State Univ. (ASU) and I took a part-time instructor position and became a ski instructor at the local ski resorts. I began a consulting career with a large environmental firm, Law Environmental in Charlotte, NC, after a year of teaching labs at ASU (and skiing). Ellen and I married in 1992 and I ended up at a small two-person environmental consulting firm in Boone in 1994. I began working with archaeologists at ASU in 1993, interpreting the geomorphology of archaeology sites. My first CRM project was with Loretta Lautzenheiser of Coastal Carolina Research in 1994. I continued to build my background in geoarchaeology and fluvial geomorphology through the 1990s.

I started my own professional corporation in 2003. The practice of geology is licensed in many states and as a licensed geologist in NC they require that your business be a professional corporation or PLLC. After about five years of pouring my own money into the company I have now (hopefully) turned the corner and can actually pay myself a salary and maybe see some profit. I have one full time employee (Jay Thacker, two years with the company) and two part time employees. Our primary focus is geoarchaeology consulting although we continue to do some other geology consulting work (slope stability, water well locating & environmental).

We have expanded our services and geographical areas in which we work. Recent projects have included evaluating soil chemistry of archaeology sites and cultural features, petrographic analyses of ceramics, lithics and brick, soil micromorphology of hearths and microartifact analyses. Our project locations have included the Gulf Coast states, Midwest, Mid-Atlantic and Southeastern regions of the US. We don't limit our work to the eastern US. Our plan is to continue expanding our client base and possibly participate in international projects in the future.

On the personal side Ellen and I have two daughters 10 and 12. We both travel quite a bit for work (Ellen does research in Antarctica and Alaska). Our travel does differ, as Ellen might be off to a meeting with her co-scientists in Italy, whereas I would probably be headed to a swamp along the Savannah River. Our girls keep us busy with their sports activities and music lessons, and we put a priority on exercise and staying physically fit. We feel fortunate that we have careers that allow us to pursue our professional interests and don't mind the long hours, because we really love our work. We hope to pass that onto our girls, as we encourage them to find a career that they will really enjoy.

LEGISLATIVE UPDATE
NOVEMBER 2008

By Nellie Longsworth, Government Affairs Consultant

ACRA CONGRESSIONAL LOBBY DAY - March 25th, 2009

The 2009 Spring ACRA Board of Directors meeting is including a full day in Washington DC to lobby the new Congress on issues of concern to the cultural resources membership. This will be more than two months after the inauguration of President Obama and the opening of the Congress, and we should have a fair idea of where we need to strengthen the case for the work we do. The issues will also become clearer as both House and Senate set up their leadership, committees and subcommittees. The first 2009 historic preservation lobbying effort will take place on March 9-10 when Preservation Action, the National Trust, NAPC and NCSHPO have their annual Lobby Day in Washington with trips to both House and Senate. Issues will include funding for the Historic Preservation Fund (SHPOs and Tribes), the National Park Service and the Advisory Council on Historic Preservation. Other issues will certainly arise as the new Administration announces its programs "across the boards."

To prepare for lobbying Congress in 2009, the preservation partnership in Washington - including the National Trust, National Conference of State Historic Preservation Officers, Preservation Action, Advisory Council on Historic Preservation, American Cultural Resources Association, the Society for Historical Archaeology, National Association of Preservation Commissions, the National Association of Tribal Historic Preservation Officers and the National Park Service - met to discuss preservation in terms of our relationship to sustainability and the Green movement. The rationale behind sustainability is for our nation to respond to the worldwide concern about carbon emissions and improved efficiency. President-Elect Obama has over 500 energy and climate advisors who are developing programs to "strengthen the economy, spur green job creation, and protect the environment."

2009 is also the year for the reauthorization of the Federal Highway Program. In the past, we have had to lobby against forces that wanted to diminish the requirements of Section 106 and 4(f) and we have been successful in retaining these important required responsibilities. To get clues about the upcoming bill, one can google AASHTO - the American Association of State Highway and Transportation Officials- at website www.transportation.org. AASHTO appears sensitive to environmental responsibility and wants greater efficiency in carrying out highway construction. While no one has seen any legislation to date, we will respond as necessary.

You will be hearing from your government affairs consultant by email in the weeks ahead. Stay tuned for the Historic Preservation - Sustainability "one pager" that has been developed by the preservation partners in Washington, DC (draft copy follows this page).

NATIONAL CONFERENCE OF STATE HISTORIC PRESERVATION OFFICERS
NCSHPO

NAPC
National Alliance of Preservation Commissions
PRESERVATION Action

NATIONAL TRUST FOR HISTORIC PRESERVATION®

Historic Preservation = Sustainability

Historic preservation is the stewardship of the built environment that uses historic buildings and communities to achieve environmental, economic and cultural sustainability.

Sustainability is development that meets the needs of the present without compromising the ability of future generations to meet their own needs.

The National Historic Preservation Program is essential for the funding and administration of public and private initiatives to advance sustainability.

The national historic preservation partners support the following agenda:

Financial tools to improve energy efficiency in buildings must include assistance for owners of historic buildings, both residential and commercial, to rehabilitate and upgrade their properties in accordance with historic preservation standards.

We support incentives for homeowners and commercial properties for rehabilitation and energy efficiency, including incentives for manufacturer's to create products which will improve energy efficiency while remaining compatible to the historic fabric. We support, especially, incentives for individual homeowners.

Maximizing the contribution of historic preservation to the green economy and sustainability requires a skilled labor force.

We support job training for the building trades which will protect, maintain and rehabilitate historic buildings and communities, and support the stewardship of our built environment.

Global climate change leads to increasingly devastating natural disasters that require a comprehensive approach to the protection of historic sites and communities.

We support legislation and funding to provide for natural disaster preparedness, response and recovery, including a comprehensive survey of historic buildings and communities in threatened areas.

Infrastructure rehabilitation and improvements are critical to the preservation and sustainability of our historic urban and rural communities.

We support legislation promoting rehabilitation and improvement of our nation's infrastructure, including transportation, pursuant to the Secretary of Interior's standards where applicable, to enhance the livability of our nation's historic communities.

To this end, expanding resources for the National Historic Preservation Program* is critical to providing the infrastructure support needed for the stewardship and sustainability of the built environment.

We support increased funding for the Historic Preservation Fund, the National Park Service Cultural Resources Program, and the Advisory Council on Historic Preservation to provide the necessary infrastructure for preservation planning and project execution.

---

* National Academy of Public Administration "Back to the Future: A review of the National Historic Preservation Program" December 2007. pp ix, 29, 34

Monday, November 10, 2008

November 2008

ACRA
American Cultural Resources Association

EDITION

5024-R Campbell Boulevard, Baltimore, MD 21236

ACRA's Members-Only Listserver

MembersOnly is a private email forum intended to promote dialogue between ACRA members, and to provide a venue for the membership and the board of directors to share information, and to post queries and comments for discussion. To participate in MembersOnly, visit **www.acra-crm.org** and click on the link under ACRA forums.

2008-2009 ACRA EDITION SCHEDULE

DEADLINE	PRODUCTION
January 12	January 20
March 9	March 17
May 5	May 12
July 7	July 14

ACRA *Edition*

is a bi-monthly publication of The American Cultural Resources Association. Our mission is to promote the professional, ethical and business practices of the cultural resources industry, including all of its affiliated disciplines, for the benefit of the resources, the public, and the members of the association.

This publication's purpose is to provide members with the latest information on the association's activities and to provide up-to-date information on federal and state legislative activities. All comments are welcome.

Please address comments to:

Jeanne Harris,
Editor, ACRA Edition
ejharris@aol.com

or

Lucy Wayne,
ACRA President Elect
lucy@southarc.com